

AMENDED IN SENATE JULY 14, 2011

AMENDED IN SENATE JUNE 29, 2011

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AMENDED IN ASSEMBLY APRIL 6, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 124

Introduced by Assembly Member Fuentes
(Coauthors: Assembly Members Brownley and Solorio)

January 10, 2011

An act to amend Section 60811 of, and to add *and repeal* Section 60811.3 ~~to~~ *of*, the Education Code, relating to academic content standards.

LEGISLATIVE COUNSEL'S DIGEST

AB 124, as amended, Fuentes. Academic content standards: English ~~Language Development Standards Advisory Committee: language development standards.~~

Existing law requires each school district that has one or more pupils who are English learners to assess the English language development of each of those pupils upon initial enrollment in order to determine the level of proficiency of those pupils, and thereafter to assess each of those pupils annually until the pupil is redesignated as English proficient.

Existing law requires the State Board of Education to approve standards for English language development for pupils whose primary language is a language other than English. Existing law further requires that these standards be comparable in rigor and specificity to the

statewide academically rigorous content standards for English language arts.

This bill would make a clarifying change to the provisions relating to the standards for English language development.

~~This bill would establish a 13-member English Language Development Standards Advisory Committee for the purpose of ensuring high-quality instruction for English learners as the state implements the academic content standards in English language arts. The bill would specify the appointing authorities and qualifications of the members of the advisory committee.~~

~~The~~

~~This bill would require the advisory committee Superintendent of Public Instruction, in consultation with the state board, to update, revise, and align the English language development standards adopted pursuant to existing law to the state board-approved academic content standards for English language arts. The bill would require the Superintendent to convene a group of experts in English language instruction, curriculum, and assessment to assist the Superintendent in updating, revising, and aligning the English language development standards. The bill would also require the advisory committee Superintendent to present its the updated, revised, and aligned English language development standards to the state board on or before August 31, 2012. The bill would further require the state board to either adopt or reject adopt, reject, or revise the standards presented by the advisory committee Superintendent on or before September 30, 2012.~~

~~The bill would require the Superintendent of Public Instruction and the state board to present to the Governor and the appropriate policy and fiscal committees of the Legislature a schedule and implementation plan for integrating the English language development standards adopted pursuant to this bill into the state public education system. The bill would also express the intent of the Legislature that the State Department of Education consider the advisory committee's work of the group of experts when developing any new English language acquisition assessments and use certain federal funds to support the advisory committee's work. The bill would require the department to use certain federal funds to implement these provisions of the bill. The bill would repeal these provisions on July 1, 2013.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 60811 of the Education Code is amended to read:

60811. The state board shall approve standards for English language development for pupils whose primary language is a language other than English. The standards shall be comparable in rigor and specificity to the standards for English language arts adopted pursuant to Section 60605.8.

SEC. 2. Section 60811.3 is added to the Education Code, to read:

~~60811.3.—(a) The English Language Development Standards Advisory Committee is hereby established for the purpose of ensuring high-quality instruction for English learners as the state implements the academic content standards in English language arts adopted pursuant to Section 60605.8. The advisory committee shall consist of 13 members, to be appointed as follows:~~

~~(1) Four members appointed by the Governor.~~

~~(2) Three members appointed by the Senate Committee on Rules.~~

~~(3) Three members appointed by the Speaker of the Assembly.~~

~~(4) Three members appointed by the Superintendent.~~

~~(b) The members of the advisory committee shall serve at the pleasure of the appointing authority.~~

~~(c) At least seven of the members appointed pursuant to subdivision (a) shall be credentialed public elementary or secondary classroom teachers possessing authorized certificates for the instruction of English learners and who have a minimum of three years of demonstrated experience instructing English learners in the classroom. At least four of these credentialed teachers shall represent elementary schools. The remaining members of the advisory committee shall include representatives who are schoolsite principals, school district or county office of education administrators overseeing programs and support for English learners, personnel of teacher training schools at institutions of higher education, or curriculum and instructional specialists with English learner expertise.~~

~~(d) The advisory committee~~

~~60811.3. (a) The Superintendent, in consultation with the state board, shall update, revise, and align the English language~~

1 development standards adopted pursuant to Section 60811 to the
2 state board-approved academic content standards for English
3 language arts adopted pursuant to Section 60605.8. The English
4 language development standards shall be aligned by grade level,
5 and shall be comparable to, and as rigorous and specific as, the
6 academic content standards for English language arts adopted by
7 the state board pursuant to Section 60605.8.

8 ~~(e) Pursuant to the Bagley-Keene Open Meeting Act (Article 9~~
9 ~~(commencing with Section 11120) of Chapter 1 of Part 1 of~~
10 ~~Division 3 of Title 2 of the Government Code), each meeting or~~
11 ~~hearing of the advisory committee shall be open and available to~~
12 ~~the public.~~

13 ~~(f) On or before August 31, 2012, the advisory committee shall~~
14 ~~present its revised and aligned English language development~~
15 ~~standards to the state board.~~

16 ~~(g) On or before September 30, 2012, the state board shall do~~
17 ~~either of the following:~~

18 ~~(1) Adopt the English language development standards presented~~
19 ~~by the advisory committee.~~

20 ~~(2) Reject the English language development standards presented~~
21 ~~by the advisory committee. If the state board rejects the standards~~

22 ~~(b) In meeting the requirements of subdivision (a), the~~
23 ~~Superintendent, in consultation with the state board, shall convene~~
24 ~~a group of experts in English language instruction, curriculum,~~
25 ~~and assessment, including individuals who have a minimum of~~
26 ~~three years of demonstrated experience instructing English learners~~
27 ~~in the classroom at the elementary or secondary level. The~~
28 ~~Superintendent shall ensure that members of the group include,~~
29 ~~but are not limited to, individuals who are schoolsite principals,~~
30 ~~school district or county office of education administrators~~
31 ~~overseeing programs and support for English learners, personnel~~
32 ~~of teacher training schools at institutions of higher education, or~~
33 ~~curriculum and instructional specialists with English learner~~
34 ~~experience.~~

35 ~~(c) On or before August 31, 2012, the Superintendent shall~~
36 ~~present the updated, revised, and aligned English language~~
37 ~~development standards, based on the work of the group of experts~~
38 ~~convened pursuant to subdivision (b), to the state board. Before~~
39 ~~the presentation to the state board, the Superintendent shall hold~~
40 ~~a minimum of two public meetings pursuant to the Bagley-Keene~~

1 *Open Meeting Act (Article 9 (commencing with Section 11120) of*
2 *Chapter 1 of Part 1 of Division 3 of Title 2 of the Government*
3 *Code) in order for the public to provide input regarding the work*
4 *of the group of experts to update, revise, and align the English*
5 *language development standards.*

6 *(d) On or before September 30, 2012, the state board shall*
7 *adopt, reject, or revise the English language development*
8 *standards presented by the Superintendent.*

9 *(1) If the state board revises the English language development*
10 *standards presented by the Superintendent, the state board shall,*
11 *in a public meeting held pursuant to the Bagley-Keene Open*
12 *Meeting Act (Article 9 (commencing with Section 11120) of*
13 *Chapter 1 of Part 1 of Division 3 of Title 2 of the Government*
14 *Code), provide written reasons for its revisions. The state board*
15 *shall not adopt the revised English language development*
16 *standards at the same meeting it provides its written reasons, but,*
17 *instead, shall adopt these revisions at a subsequent meeting or no*
18 *later than November 15, 2012.*

19 *(2) If the state board rejects the English language development*
20 *standards presented by the Superintendent pursuant to—this*
21 *paragraph subdivision (c), the state board shall transmit to the*
22 *Superintendent, the Governor, and the appropriate policy and fiscal*
23 *committees of the Legislature a specific written explanation of the*
24 *reasons why the standards presented by the—advisory committee*
25 *Superintendent were rejected.*

26 ~~(h)~~
27 *(e) The Superintendent and the state board shall present to the*
28 *Governor and the appropriate policy and fiscal committees of the*
29 *Legislature a schedule and implementation plan for integrating the*
30 *English language development standards adopted pursuant to this*
31 *section into the state public education system, including, but not*
32 *limited to, incorporating the standards into the English language*
33 *development test.*

34 ~~(i)~~
35 *(f) It is the intent of the Legislature that the department consider*
36 *the work of the—advisory committee group of experts convened*
37 *pursuant to subdivision (b) when developing any new English*
38 *language acquisition assessments.*

39 ~~(j) It is further the intent of the Legislature that the department~~
40 ~~use federal funds received pursuant to Title III of the federal No~~

1 ~~Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) to~~
2 ~~support the work of the advisory committee.~~

3 *(g) The department shall use federal carryover funds received*
4 *pursuant to Title I of the federal No Child Left Behind Act of 2001*
5 *(20 U.S.C. Sec. 6301 et seq.) to implement this section.*

6 *(h) This section shall remain in effect only until July 1, 2013,*
7 *and as of that date is repealed, unless a later enacted statute, that*
8 *is enacted before July 1, 2013, deletes or extends that date.*